

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION

IN RE:

LYNN HENDRICKS, JR.
LISA MOON HENDRICKS
DEBTOR(S)

CASE NO: 18-31342-JPS

CHAPTER 13

LYNN HENDRICKS, JR.
LISA MOON HENDRICKS
MOVANT(S)

VS.

LVNV FUNDING LLC
AS ASSIGNEE TO CREDIT ONE BANK, N.A.
RESPONDENT

NOTICE OF MOTION

LYNN HENDRICKS, JR. AND LISA MOON HENDRICKS HAVE FILED DOCUMENTS WITH THE COURT TO AVOID A JUDICIAL LIEN.

YOUR RIGHTS MAY BE AFFECTED. You should read these documents carefully and discuss them with your attorney, if you have one in this bankruptcy case. **If you do not have an attorney, you may wish to consult one.** If not served with this notice in accordance with the Bankruptcy Code or the Federal Rules of Bankruptcy Procedure, a copy of the motion may be obtained upon written request to counsel for the Movant (identified below) or at the Clerk's office.

If you do not want the court to grant the motion, or if you want the court to consider your views on the motion, then you or your attorney shall file with the court a written objection or response on or before **December 31, 2018**. If you are receiving this notice by mail, you may add 3 days to the response date state above. The objection or response should be sent to:

Clerk, U. S. Bankruptcy Court
Middle District of Georgia
P. O. Box 1957
Macon, Georgia 31202

If an objection or response is filed, a hearing on the motion shall be held on:

January 16, 2019 at 2:00 p.m.
at US Courtroom-Athens, US Post Office Building, 115 E. Hancock Avenue, Athens, GA
30601

If you mail your response or objection to the court for filing, you shall send it early enough so the court will **receive** the objection or response on or before the response date stated above.

Any response or objection shall also be served on the movant.

If you or your attorney does not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting relief.

This notice is sent by the undersigned pursuant to LBR 9007-1(c) and LBR 9004-1(c)(5)(B).

Dated this 10th day of December, 2018.

/S/ CHRIS R. MORGAN
CHRIS R. MORGAN
ATTORNEY FOR MOVANT(S)
STATE BAR NO: 522102
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UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION

IN RE:

Lynn Hendricks, Jr.
Lisa Moon Hendricks
Debtor(s)

Case No: 18-31342-jps

Chapter 13

Lynn Hendricks, Jr.
Lisa Moon Hendricks
Movant(s)

vs.

LVNV Funding LLC
As Assignee to Credit One Bank, N.A.
Respondent

MOTION TO AVOID LIEN

NOW COME the Debtor(s) in said matter and in support of their Motion shows the Court the following, to wit:

1. Prior to the filing of the Debtor(s) Petition for relief, the Respondent obtained a money judgment against the Debtors(s) in the Magistrate Court of Clarke County, Georgia, case number MC-01-CV-CV-17-1134.
2. Said judgment constitutes a judicial lien on all of the real and personal property of the Debtor(s).
3. There is no equity in any of the Debtors' property that cannot otherwise be exempted.
4. The existence of said creditor's lien on said real and personal property impairs exemptions in all of the Debtors' real and personal property to which the debtor(s) would be entitled under Georgia Law.

WHEREFORE, the debtor(s) moves this court to enter an order avoiding said judicial lien on debtor(s) real and personal property, and for such other and further relief as the court may seem just and proper.

/S/ CHRIS R. MORGAN
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ATTORNEY FOR MOVANT(S)
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UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION

In the Matter of:
Lynn Hendricks, Jr.
Lisa Moon Hendricks
Debtor(s)

Case No: 18-31342-jps
Chapter 13

CERTIFICATION OF SERVICE

I, named below, certify that I am, and at all times hereinafter mentioned was, more than 18 years of age, and that on the 10th day of December, 2018, I served a copy of the within Motion and Notice on the party (parties) listed below. Those not served by electronic means by the Court's electronic filing system have been served by U.S. First Class Mail and/or Certified Mail.

Camille Hope(by ECF)

LVNV Funding LLC
P.O. Box 10497
Ste 110, MS 576
Greenville SC 29603-0497

C T Corporation System
Registered Agent
75 Beattie Place
Greenville, SC 29601

Stenger & Stenger PC
2618 East Paris Avenue
Grand Rapids, MI 49546

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